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DEQ-CID, State Police arrest Calcasieu Parish man for burning hazardous wastes

BATON ROUGE – Today, DEQ's Criminal Investigations Division and the Louisiana State Police arrested a Calcasieu Parish man for felony disposal of hazardous substances that could endanger human health or the environment.

In May 2009, Michael Joseph Marshall, 64, was ordered by Calcasieu Parish to clean up his property and demolish a dilapidated structure on his property. After receiving an order to remove the structure, Marshall allegedly visited the fire department at Ward 8, District 2, in August 2009 in order to seek permission to burn the structure on his property. After being informed by fire department personnel that burning the structure was illegal, Marshall allegedly told them that he would burn the structure anyway. On August 22, 2009, Marshall allegedly set fire to the structure intentionally. Neighbors and eyewitnesses to the fire reported several explosions during the incident. Once the fire was brought under control, DEQ and fire department personnel discovered several high pressure cylinders in the remains of the structure.

During the incident, Marshall was issued a misdemeanor summons by Calcasieu Parish Sheriff's Office for parking a vehicle at the entrance to the property, thereby obstructing fire department from responding.

DEQ emergency responders arrived on the scene while the fire was still in progress. The incident was forwarded to DEQ-CID Investigator Bobby Kingham who took the lead in the investigation.

"Environmental crimes affect all of us in Louisiana," said Colonel Mike Edmonson, State Police Superintendent. "The arrest of Michael Marshall sends a strong message that this type of activity will not be tolerated. Through our partnerships with DEQ and other local agencies, we will continue to seek out and arrest those who purposely jeopardize the health of our citizens and the beauty of our state."

Illegally burning a solid or hazardous waste of this type is a felony and, upon conviction, could lead to a fine of not more than \$100,000 per violation, which may be assessed for each day the violation continues, and costs of prosecution, or imprisoned at hard labor for not more than 10 years, or both.

"Illegal burning of any magnitude poses a serious threat to the environment and stopping this activity is a top priority for DEQ-CID," said Jeffrey Nolan, DEQ-CID Manager. "Anyone found to be willfully engaging in such an illegal act does so to the detriment of our clean air and the quality of life for the citizens of Louisiana. This will not be tolerated under this administration."

An arrest does not constitute guilt in a criminal case. All evidence compiled during the investigation is presented to area prosecutors who determine if formal charges are warranted.